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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,919	12/01/2000	Wei Tong	839-854	5526

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Michelle N. Lester
Nixon & Vanderhye P.C.
8th Floor
1100 North Glebe Road
Arlington, VA 22201-4714

EXAMINER

LAM, THANH

ART UNIT PAPER NUMBER

2834

DATE MAILED: 01/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/728,919

Applicant(s)
Tong et al.

Examiner
Thanh Lam

Art Unit
2834



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 24, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 20-30 is/are pending in the application.
- 4a) Of the above, claim(s) 4-9 and 22-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 10, 11, 20, and 28-30 is/are rejected.
- 7) ☒ Claim(s) 3 and 21 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 9 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al.

Watanabe et al. disclose a magnetic assembly for being received in an armature slot for retaining armature coil (4) components therewithin, said assembly having a longitudinal dimension generally parallel to an axis of said armature slot and a thickness dimension in a direction generally perpendicular to said longitudinal dimension and aligned in a depth direction of said armature slot, said magnetic assembly comprising: a magnetic armature wedge structure (6) including a molded body (6c) having a magnetic core (6a) and a resin part encapsulating said magnetic core, said magnetic core disposed to extend along substantially an entire length (see 6a of fig. 1 which extend along the entire length in radial direction of the wedge 6) thereof.

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Regarding claim 10, Watanabe et al. disclose said magnetic core encapsulated in said resin part of said magnetic armature wedge structure comprises an elongated centrally disposed magnetic core made from mixing resin and ferromagnetic particles.

Regarding claim 11, Watanabe et al. disclose the magnetic core has a generally circular cross-sectional shape.

3. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Ishihara (JP357189542A).

Ishihara discloses a magnetic assembly for being received in an armature slot (2) for retaining armature coil components (3A,4) therewithin, said assembly having a longitudinal dimension generally parallel to an axis of said armature slot and a thickness dimension in a direction generally perpendicular to said longitudinal dimension and aligned in a depth direction said armature slot, said magnetic assembly comprising: a magnetic armature wedge structure (12A) including a molded body (see abstract) of a resin material having a magnetic material (see abstract "magnetic powder") embedded therewithin, said magnetic material being embedded in said molded body so as to be disposed along substantially an entire length thereof, and further comprising a magnetic wedge slide (12B) adjacent said magnetic armature wedge structure, between said magnetic armature wedge structure and said armature coil components, said magnetic wedge slide being formed from resin having ferromagnetic particles (see Abstract magnetic powder) distributed therethrough.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Ishihara.

Watanabe et al. disclose every aspect of the claimed invention except for a magnetic wedge slide being formed from resin having ferromagnetic particles distributed therethrough.

Ishihara discloses a magnetic wedge slide being formed from resin having ferromagnetic particles distributed therethrough for the purpose of increasing flux.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the armature slot of Watanabe et al. to accommodate the magnetic slide as taught by Ishihara to increase flux across the air gap of the magnetic assembly.

Regarding claim 28, the proposal in combination of Watanabe et al. and Ishihara disclose said magnetic material embedded in said molded body of said magnetic armature wedge structure comprises a magnetic core made from mixing resin and ferromagnetic particles that is encapsulated in resin.

Regarding claim 29, the proposal in combination of Watanabe et al. and Ishihara disclose said magnetic core has a generally circular cross-sectional shape.

Allowable Subject Matter

6. Claims 2 and 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-2, 10-11 have been considered but are moot in view of the new ground(s) of rejection.

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Election/Restriction

8. Newly submitted claims 22-27 and amended claims 4-5,8 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the claims 4-9 and 22-27 are withdrawn from consideration as non-elected species.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 4-9, and 22-27 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.

A handwritten signature in black ink, appearing to read 'Thanh Lam', with a stylized, cursive script.

Thanh Lam

Patent Examiner